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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/084,910 | 03/01/2002 | Akiyoshi Hashimoto | H-1039 | 7123 |

7590 12/09/2005
MATTINGLY, STANGER & MALUR, P.C.
Suite 370
1800 Diagonal Road
Alexandria, VA 22314

EXAMINER

SHERKAT, AREZOO

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2131

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,910

Applicant(s)

HASHIMOTO ET AL.

Examiner

Arezoo Sherkat

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This office action is responsive to Applicant's amendment received on Sep. 19, 2005. Claims 1, 8-10, and 17 are amended. Claims 18-20 are added. Claims 1-20 are pending.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 12-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sanada et al., (U.S. Publication No. 2001/0008010 and Sanada hereinafter).

Regarding claims 1-2, 8, and 17, Sanada discloses a second storage, comprising:

a plurality of nonvolatile data storing devices (i.e., disk drives), a controller of the nonvolatile data storing devices connected to each of the data storing devices (i.e., microprocessor 42)(Page 3, Par. 0039), said controller having a plurality of network

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transportation ports connected to different networks (i.e., host computers 10, 20, 30), respectively, an access controller for processing I/O commands of different types requested for the transportation ports, and an access controlling table for storing access control setting information for each of said network transportation ports that defines one of unauthorized access for the I/O commands or authorized access for at least one of the types of the I/O commands between each of the plurality of network transportation ports and each of the plurality of nonvolatile data storing devices (Page 6, Par. 0099-0117), wherein said access controller judges the unauthorized access or the authorized access of the I/O commands requested for each of the transportation ports based on the access control setting information (Page 1, Par. 0013).

Regarding claims 3 and 19, Sanada discloses further including a plurality of logical disks comprised of at least one of said data storing devices, wherein said access control setting information defines said one of the unauthorized access for the I/O commands or authorized access for at least one of the types of the I/O commands between each of the plurality of transportation ports and each of the plurality of the logical disks (Page 1, Par. 0013).

Regarding claims 4 and 20, Sanada discloses further including a management console connected to said controller for setting and changing the access control setting information in the access controlling table for each of the network transportation ports

Regarding claims 5-7, Sanada discloses wherein the access controller reports the I/O command judged as unauthorized to the management console (Page 1, Par. 0013).

Regarding claims 11-16, Sanada discloses an access controlling method according to claim 8: wherein when a system of the I/O commands is the SCSI (Small Computer system interface) standards, a "CHECK CONDITION" status is transmitted as a report of abnormalities (Pages 4-6, Par. 0062-0098).

Regarding claim 18, Sanada discloses wherein the different types of I/O commands include READ and WRITE and the access control setting information includes READ only enable, WRITE only enable and recognition disabled for each of the network transportation ports (Page 6, Par. 0102-0117).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanada et al., (U.S. Publication No. 2001/0008010 and Sanada hereinafter), in view of Li et al., (U.S. Publication No. 2003/0093509 and Li hereinafter).

Regarding claim 9, Sanada does not expressly disclose when exceeding a predetermined threshold of unauthorized accesses, access from the plurality of transportation ports the data is not authorized.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Sanada by including wherein when a judgment frequency of the access non-authorization to specific data stored the nonvolatile data storing means exceeds a predetermined threshold, access from the plurality of transportation ports the data is not authorized as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Li, Page 1, Par. 0009).

Regarding claim 10, Sanada does not expressly disclose wherein an administrator of the second storage is notified.

However, Li discloses wherein when a judgment frequency of the access non-authorization to specific data stored in nonvolatile data storing means exceeds a predetermined threshold, an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold (Pages 2-3, Par. 0027-0030).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the storage assignment method of Sanada by including wherein an administrator of the second storage is notified that the judgment frequency of the access non-authorization exceeds a predetermined threshold as disclosed by Li. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Li to facilitate access by multiple hosts to multiple storage devices in a manner consistent with network administrators' wishes and without risk of unwanted access conflicts (Li, Page 1, Par. 0009).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Sherkat

Arezoo Sherkat
Patent Examiner
Group 2131
Dec. 6, 2005

Cel
Primary Examiner
AU 2131
12/17/05